

Item # 53
May 25, 2006

STAFF RECOMMENDS DENIAL

ORDINANCE NO.

1 **AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT 505**
2 **DEEP EDDY AVENUE FROM CERTAIN DEVELOPMENT REGULATIONS**
3 **PRESCRIBED BY ORDINANCE NO. 20060309-058 FOR CONSTRUCTION OF A**
4 **DUPLEX RESIDENCE.**

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6 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

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8 **PART 1.** This ordinance applies to the construction of a duplex residence located at 505
9 Deep Eddy Avenue. The two story structure will have a floor area of 3,825 square feet.

10 **PART 2.** Applicant has filed a waiver application requesting that Council waive Part 4
11 Section (C) of Ordinance No. 20060309-058 which limits a building permit to construct
12 a duplex or single-family structure to the greater of the following:

- 13 (1) 0.4 to 1 floor-to-area ratio;
- 14 (2) 2,500 square feet; or
- 15 (3) 20 percent more square feet than the existing or pre-existing structure.

16 **PART 3.** Council has considered the factors for granting a waiver from development
17 regulations prescribed by Ordinance No. 20060309-058. Council finds that such a waiver
18 is justified because:

- 19 (A) the development limitation imposes undue hardship on the applicant; and
- 20 (B) the development proposed by the applicant will not adversely affect the
21 public health, safety, and welfare.

22 **PART 4.** A waiver is granted from Part 4 Section (C) of Ordinance 20060309-058 to
23 allow the construction of a duplex residence located at 505 Deep Eddy Avenue, for a total
24 structure size not to exceed 3,825 square feet. This waiver is conditioned upon a
25 maximum impervious cover of 45 percent for the lot.

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PART 5. This ordinance takes effect on _____, 2006.

PASSED AND APPROVED

_____, 2006

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Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk